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February 16, 2021

Via ECF and E-Mail

Application denied.

The Honorable William H. Pauley, III
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.

Re: *United States v. Kenneth Henderson*
13 Cr. 256 (WHP)

February 16, 2021

Dear Judge Pauley:

I am counsel to Mr. Kenneth Henderson in the above-referenced Violation of Supervised Release proceeding, appointed pursuant to the provisions of the Criminal Justice Act ("CJA"), 18 U.S.C. §3006A. This correspondence is to respectfully request the temporary modification of Mr. Henderson's bail conditions to permit attendance to his daughter's baby shower, which is to be held on February 21, 2021.

Mr. Henderson has been at liberty on a bail package which includes a \$50,000 PRB; co-signed by two FRP's; with home detention with electronic location monitoring and Probation supervision as directed. Mr. Henderson has been in consistent contact with counsel and Pre-Trial Services.

This application seeks the temporary modification of Mr. Henderson's above-stated bail conditions, permitting him to attend his daughter's baby shower. The occasion is a very important family occasion to Mr. Henderson, as his daughter's mother passed away eleven months ago, this is his daughter's first child and Mr. Henderson's first grandchild. The party will be held on February 21, 2021, from 4:00 to 10:00 p.m., at Allertone Showcase, located at 1291 Allerton Avenue, Bronx, New York. The location is in close proximity to Mr. Henderson's home. I have been in contact with a representative from Allertone Showcase as well as Mr. Henderson's daughter, who have advised that the

gathering will be in compliance with all required COVID-19 health and safety protocols in that: there will be twenty-five or less attendees admitted to the party (the maximum number of attendees allowable at this venue during the pandemic); masks will be required; temperature checks will be required for admission; and social distancing will be enforced. Submitted herewith is an electronic announcement for the baby shower. We are requesting that Mr. Henderson be permitted to leave home at 3:00 p.m. and return home by 10:30 p.m., so that he will be able to assist in setting up and cleaning up. In the event that the Court grants the instant request, upon Mr. Henderson's return home, the bail conditions currently in place will be immediately reinstated in full force and effect.

Based upon my communications with A.U.S.A. Sarah Mortazavi, the Government and Probation are opposed to this request.

Therefore, for the reasons stated herein, we respectfully request that the Court grant this application temporarily amending Mr. Henderson's bail conditions.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Richard J. Ma

Richard J. Ma, Esq.

Encl.

cc: A.U.S.A. Sarah Mortazavi (via email)
Probation Officer Washington Herrera (via email)